



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

APR 3 1996

Andrea Smith, Treasurer
Republican Campaign Committee
of New Mexico
P.O. Box 36900
Albuquerque, NM 87112

Identification Number: C00020818

Reference: Year End Report (7/1/95-12/31/95)

Dear Ms. Smith:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-You must make an attempt to obtain the full name, mailing address, occupation and name of employer for all individuals who contribute more than \$200 in a calendar year. Please amend your report to include the omitted information.

A committee may demonstrate "best efforts" to obtain the required information by providing the Commission with a description of its procedures for requesting the information and may also supply a copy of a solicitation; the committee must request the contributor information in initial solicitations; make follow-up requests (if necessary); report the information; and file amendments to disclose previously unreported information. Each solicitation must include a clear and conspicuous request for the information. If a committee receives a contribution that exceeds the \$200 threshold but lacks contributor information, the committee must, within 30 days, make an additional written or oral request for the information. Please note that a written request may not include an additional solicitation or material on any other subject, other than thanking the contributor for the donation and must include a pre-addressed return post card or envelope for the contributor's response. An oral request must be documented in writing. Committees must also disclose information that was not provided by the contributor, but is available in any of the committee's records for

that current election cycle. Furthermore, if a committee receives contributor information after the contributions have been reported, it must submit, with its next report, an amended memo Schedule A listing all the contributions for which additional information was received or file, on or before the next reporting date, amendments to the previous reports on which the contributions were originally disclosed. See 11 CFR §104.3(a)(4)(i) and 11 CFR §104.7.

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Contributions to non-federal candidates/committees should be properly disclosed on a separate Schedule B, supporting Line 29 of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

-Your report discloses a loan repayment received on Schedule A supporting Line 14 from Patrick L. Massengale, which has not been recorded on Schedule C. Loans and loan repayments received must be reflected on Schedule C as well as on Schedule A. Please amend your report to clarify this discrepancy. 2 U.S.C. §§434(b)(3)(E) and (5)(D)

-Your report does not include a Schedule H1 to disclose the ratio for the allocation of administrative and generic voter drive costs. This ratio is determined at the beginning of each two-year election cycle. All shared administrative and generic voter drive costs incurred during the two-year cycle must be allocated according to this ratio, unless the federal account elects to pay a higher percentage of its cost. 11 CFR §106.5(b)(2), (d)(1), (d)(2) and 11 CFR §104.10(b)(1)(ii)(B) and 106.6(c).

-Schedule H4 discloses a disbursement(s) which is categorized as a fundraising expense(s); however, a Schedule H2 has not been filed to disclose the allocation ratio. All committees are required to allocate the direct costs of each fundraising event in which the committee collects both federal and non-federal funds. The costs are allocated according to the funds received ratio and reported on Schedule H2. 11 CFR §§106.5(f) and 106.6(d). Please file a Schedule H2 to disclose the ratio for the fundraising event(s).

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) from an organization(s) which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered

organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible. To the extent that your committee has received impermissible funds, the Commission recommends that you transfer the impermissible funds to an account not used to influence federal elections or refund the impermissible amount(s) to the donor(s) in accordance with 11 CFR §103.3(b). In order to protect the donor's interests, the Commission recommends that you inform the contributor(s) in writing to provide the donor(s) with the option of receiving a refund or granting written authorization for a transfer to another account.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

-Schedule D discloses \$10,530.89 in debts owed to NM Republican State Committee (pertinent portion(s) attached). You are advised that 11 CFR §102.5 prohibits a non-federal account from financing activity in connection with federal elections. Please clarify whether the debts owed to the non-federal account relate to activity conducted in connection with federal

elections and if so, provide the date(s) when the original activity was conducted by the non-federal account. Any payments on debts related to the election or defeat of federal candidates should be allocated accordingly and disclosed as either in-kind contributions on Schedule B supporting Line 23, or as coordinated expenditures on Schedule F supporting Line 25. 11 CFR §§104.3(b)(3) and 106.1

Although the Commission may initiate legal action regarding the activities conducted by your non-federal account, prompt repayment of the debt and any clarifying information that you provide will be taken into consideration.

-Please clarify the purpose and nature of the payments to various vendors for administrative/voter drive expenses whose purpose of disbursement is listed as "Reimburse D Expenses".

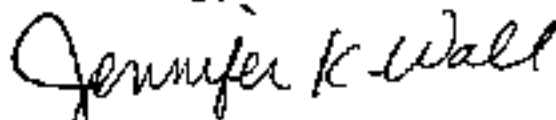
-Please clarify the purpose and nature of the payments to various vendors for fundraising expenses for "RDWT" whose purpose of disbursement is listed as "check refund".

-Schedule H4 of your report shows payments to various vendors for fundraising expenses which are listed as 100% federal on Schedule H2. These disbursements should be reported on a Schedule B supporting Line 21(b).

-Your report includes computer produced formats of FEC FORM 3X-Summary Page. Computer produced formats may only be used upon prior approval of the Commission. You should submit a separate sample format with a cover letter requesting approval. Until your format has been approved, FEC forms must be used. 11 CFR §104.2(d)

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Jennifer K. Wall
Reports Analyst
Reports Analysis Division

0000231001

Line: 11c

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE
NEW MEXICO REPUBLICAN STATE COMMITTEE

A. New Mexico Petroleum Tank Own
PO Box 92366
Albuquerque, NM 87199

EMPLOYER	DATE	AMOUNT
	09/13/95	1,000.00

OCCUPATION

Receipt for:

Aggregate YTD: \$ 1,000.00

B.

EMPLOYER	DATE	AMOUNT
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OCCUPATION

Receipt for:

Aggregate YTD: \$

C.

EMPLOYER	DATE	AMOUNT
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OCCUPATION

Receipt for:

Aggregate YTD: \$

D.

EMPLOYER	DATE	AMOUNT
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OCCUPATION

Receipt for:

Aggregate YTD: \$

E.

EMPLOYER	DATE	AMOUNT
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OCCUPATION

Receipt for:

Aggregate YTD: \$

F.

EMPLOYER	DATE	AMOUNT
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OCCUPATION

Receipt for:

Aggregate YTD: \$

G.

EMPLOYER	DATE	AMOUNT
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OCCUPATION

Receipt for:

Aggregate YTD: \$

SUBTOTAL of Receipts This Page (optional)

1,000.00

TOTAL This Period (last page this line number only)

1,000.00

9905003300007659042721

Excluding Loans

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
NM REPUBLICAN STATE COMMITTEE				
A. Full Name, Mailing Address and ZIP Code of Debtor or Creditor NM REPUBLICAN STATE COMMITTEE POST OFFICE BOX 36900 ALBUQUERQUE NM 87176	10,530.89	-0-	5,647.92	4,882.97
Nature of Debt (Purpose): OVER-TRANSFER OF NEW FEDERAL FUNDS TO ALLOCATION ACT				
B. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
C. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
D. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
E. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
F. Full Name, Mailing Address and ZIP Code of Debtor or Creditor				
Nature of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				4,882.97
2) TOTALS This Period (last page in this line only)				4,882.97
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				-0-
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				4,882.97

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